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§ 1431. Findings, purposes, and policies; establishment of system

(a) Findings

The Congress finds that—

(1) this Nation historically has recognized the importance of protecting special areas of its public domain, but these efforts have been directed almost exclusively to land areas above the high-water mark;

(2) certain areas of the marine environment possess conservation, recreational, ecological, historical, scientific, educational, cultural, archeological, or esthetic qualities which give them special national, and in some cases international, significance;

(3) while the need to control the effects of particular activities has led to enactment of resource-specific legislation, these laws cannot in all cases provide a coordinated and comprehensive approach to the conservation and management of special areas of the marine environment; and

(4) a Federal program which establishes areas of the marine environment which have special conservation, recreational, ecological, historical, cultural, archeological, scientific, educational, or esthetic qualities as national marine sanctuaries managed as the National Marine Sanctuary System will—

(A) improve the conservation, understanding, management, and wise and sustainable use of marine resources;

(B) enhance public awareness, understanding, and appreciation of the marine environment; and

(C) maintain for future generations the habitat, and ecological services, of the natural assemblage of living resources that inhabit these areas.

(b) Purposes and policies

The purposes and policies of this chapter are—

(1) to identify and designate as national marine sanctuaries areas of the marine environment which are of special national significance and to manage these areas as the National Marine Sanctuary System;

(2) to provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities;

(3) to maintain the natural biological communities in the national marine sanctuaries, and to protect, and, where appropriate, restore and enhance natural habitats, populations, and ecological processes;

(4) to enhance public awareness, understanding, appreciation, and wise and sustainable use of the marine environment, and the natural, historical, cultural, and archeological resources of the National Marine Sanctuary System;

(5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;

(6) to facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas not prohibited pursuant to other authorities;

(7) to develop and implement coordinated plans for the protection and management of these areas with appropriate Federal agencies, State and local governments, Native American tribes and organizations, international organizations, and other public and private interests concerned with the continuing health and resilience of these marine areas;

(8) to create models of, and incentives for, ways to conserve and manage these areas, including the application of innovative management techniques; and

(9) to cooperate with global programs encouraging conservation of marine resources.

(c) Establishment of system

There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this chapter.

(Pub. L. 92-532, title III, §301, Oct. 23, 1972, 86 Stat. 1061; Pub. L. 96-332, §1, Aug. 29, 1980, 94 Stat. 1057; Pub. L. 98-498, title I, §102, Oct. 19, 1984, 98 Stat. 2296; Pub. L. 102-587, title II, §2101, Nov. 4, 1992, 106 Stat. 5039; Pub. L. 104-283, §9(a), Oct. 11, 1996, 110 Stat. 3367; Pub. L. 106-513, §3, Nov. 13, 2000, 114 Stat. 2381.)

AMENDMENTS

2000—Pub. L. 106-513, §3(a), inserted “; establishment of system” at end of section catchline.

Subsec. (a)(2). Pub. L. 106-513, §3(b)(1), substituted “scientific, educational, cultural, archeological, or esthetic” for “research, educational, or esthetic”.

Subsec. (a)(3). Pub. L. 106-513, §3(b)(2), inserted “and” at end.

Subsec. (a)(4) to (6). Pub. L. 106-513, §3(b)(3), added par. (4) and struck out former pars. (4) to (6) which read as follows:

“(4) a Federal program which identifies special areas of the marine environment will contribute positively to marine resources conservation, research, and management;

“(5) such a Federal program will also serve to enhance public awareness, understanding, appreciation, and wise use of the marine environment; and

“(6) protection of these special areas can contribute to maintaining a natural assemblage of living resources for future generations.”

Subsec. (b)(1). Pub. L. 106-513, §3(c)(1), substituted “significance and to manage these areas as the National Marine Sanctuary System;” for “significance;”.

Subsec. (b)(3). Pub. L. 106-513, §3(c)(2), (4), added par. (3) and struck out former par. (3) which read as follows: “to support, promote, and coordinate scientific research on, and monitoring of, the resources of these marine areas, especially long-term monitoring and research of these areas;”.

Subsec. (b)(4). Pub. L. 106-513, §3(c)(2), (4), added par. (4) and struck out former par. (4) which read as follows: